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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

ORIGINAL

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

JUL 10 2013

Bill's Container Service  
William Piccolo, owner  
1214 E. Sedgley Avenue  
Philadelphia, PA 19134

**Re: Overdue Response to Required Submission of Information  
Lower Darby Creek Area Superfund Site,  
Operable Unit 1 - Clearview Landfill  
Darby Township, Delaware County and Philadelphia, Pennsylvania**

Dear Mr. Piccolo:

On February 21, 2013, the U.S. Environmental Protection Agency ("EPA") issued a letter (copy of which is enclosed) to Bill's Container Service ("BCS" or "you") requiring the provision of information and/or documents relating to the above-referenced Site, pursuant to Section 104(e)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, ("CERCLA"), 42 U.S.C. § 9604(e)(2) ("Information Request"). BCS's response was due within thirty (30) calendar days of its receipt. The enclosed Certified Mail Receipt indicates that BCS received the Information Request on or before March 6, 2013. Accordingly, BCS's response was due by April 5, 2013.

BCS must provide all requested documents as well as a separate and complete narrative response to each and every question contained in EPA's February 21, 2013 Information Request no later than **August 1, 2013**. This extended response period is not to be construed as an extension of the original deadline and does not excuse any violation for failure to respond to the initial Information Request.

EPA has both administrative and judicial alternatives to compel BCS to answer its February 21, 2013 Information Request. Please provide the requested information no later than **August 1, 2013** to avoid such action.


All documents and information should be submitted to:

Ms. Carlyn Winter Prisk (3HS62)  
U.S. Environmental Protection Agency  
Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029



If you have any questions concerning this matter, please contact Ms. Prisk at (215) 814-2625 or have your attorney contact Bonnie Pugh, at (215) 814-2680.

Sincerely,

A handwritten signature in dark ink, appearing to read "Darlene Kelly", with a long horizontal flourish extending to the right.

---

Darlene Kelly, Acting Chief  
Cost Recovery Branch

Enclosures: February 21, 2012 Information Request, with mail receipt.

cc: Bonnie Pugh (3RC43)  
Carlyn Winter Prisk (3HS62)  
Noreen Wagner (PADEP)



7003 1680 0005 4384 6205

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FEB 21 2013

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Bill's Container Service  
 William Piccolo, Owner  
 1214 E. Sedgley Avenue  
 Philadelphia, PA 19134

PS Form 3800, June 2002

See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece or on the front if space permits.

1. Article Addressed to:

Bill's Container Service  
 William Piccolo, Owner  
 1214 E. Sedgley Avenue  
 Philadelphia, PA 19134

*William Piccolo*

2. Article Number

(Transfer from service label)

7003 1680 0005 4384 6205

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1035

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- ☐ Agent  
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

FEB 21 2013

Bill's Container Service  
William Piccolo, owner  
1214 E. Sedgley Avenue  
Philadelphia, PA 19134

**Re: Required Submission of Information  
Lower Darby Creek Area Superfund Site,  
Operable Unit 1 - Clearview Landfill  
Darby Township, Delaware County and and Philadelphia, Pennsylvania**

Dear Mr. Piccolo:

The U.S. Environmental Protection Agency ("EPA") is seeking information related to the release, or threat of release, of hazardous substances, pollutants or contaminants into the environment from Operable Unit 1 of the Lower Darby Creek Site ("Site"). EPA is investigating the source of contamination in the vicinity of the Clearview Landfill, also known as Heller's Dump (collectively, "Clearview"), located at or near 83<sup>rd</sup> Street and Buist Avenue in Philadelphia, PA and bordering Darby Creek in Darby Township. The Site also includes the Folcroft Landfill and Annex located approximately two miles away in Folcroft Borough, Delaware County. This information request is limited to Clearview. Bill's Container Service was identified by a witness who recalled Bill's Container Service disposing of waste at Clearview (see Enclosure F). The specific information required is attached to this letter as Enclosure E.

Pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9604(e), EPA has the authority to require Bill's Container Service ("BCS" or "you") to furnish all information and documents in its possession, custody, or control, or in the possession, custody, or control of any of its employees or agents, which concern, refer, or relate to hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. § 9601(14), pollutants and/or contaminants as defined by Section 101(33) of CERCLA, 42 U.S.C. § 9601(33), which were transported to, stored, treated, or disposed of at the above-referenced Site.

Please respond in writing to this required submission of information within **thirty (30) calendar days** of your receipt of this letter.

If, for any reason, BCS does not provide all information responsive to this letter, then in its answer to EPA Acme should: (1) describe specifically what was not provided, and (2) provide to EPA an appropriate reason why the information was not provided.



Please respond in writing to this required submission of information within **thirty (30) calendar days** of your receipt of this letter.

If, for any reason, BCS does not provide all information responsive to this letter, then in its answer to EPA BCS should: (1) describe specifically what was not provided, and (2) provide to EPA an appropriate reason why the information was not provided.

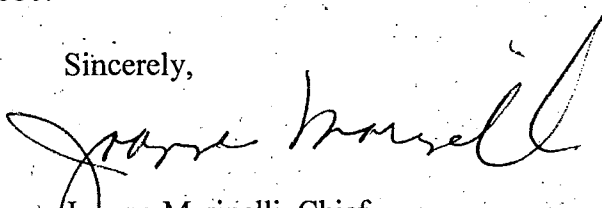
All documents and information should be sent to:

Ms. Maria Goodine (3HS62)  
U.S. Environmental Protection Agency  
Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

This required submission of information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Section 3501, et seq.

If you have any questions concerning this matter, please contact Compliance Officer Maria Goodine at (215) 814-2488, or have your attorney contact Senior Assistant Regional Counsel Bonnie A. Pugh at (215) 814-2680.

Sincerely,



Joanne Marinelli, Chief  
Cost Recovery Branch

Enclosures: A. Business Confidentiality Claims/Disclosure of Your Response to  
EPA Contractors and Grantees  
B. List of Contractors that May Review Your Response  
C. Definitions  
D. Instructions  
E. Information Requested  
F. Interview Summary

cc: Bonnie A. Pugh (3RC43)  
Maria Goodine (3HS62)  
Joshua Barber (3HS21)  
Noreen Wagner (PADEP)



## **Enclosure A**

### **Business Confidentiality Claims**

You are entitled to assert a claim of business confidentiality covering any part or all of the submitted information, in the manner described in 40 C.F.R. Part 2, Subpart B. Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. If a claim of business confidentiality is not asserted when the information is submitted to EPA, EPA may make this information available to the public without further notice to you. You must clearly mark such claimed information by either stamping or using any other such form of notice that such information is a trade secret, proprietary, or company confidential. To best ensure that your intent is clear, we recommend that you mark as confidential each page containing such claimed information.

### **Disclosure of Your Response to EPA Contractors and Grantees**

EPA may contract with one or more independent contracting firms (See, Enclosure B) to review the documentation, including documents which you claim are confidential business information ("CBI"), which you submit in response to this information request, depending on available agency resources. Additionally, EPA may provide access to this information to (an) individual(s) working under (a) cooperative agreements(s) under the Senior Environmental Employee Program ("SEE Enrollees"). The SEE Program was authorized by the Environmental Programs Assistance Act of 1984 (Pub. L. 98-313). The contractor(s) and/or SEE Enrollee(s) will be filing, organizing, analyzing and/or summarizing the information for EPA personnel. The contractors have signed a contract with EPA that contains a confidentiality clause with respect to CBI that they handle for EPA. The SEE Enrollee(s) is working under a cooperative agreement that contains a provision concerning the treatment and safeguarding of CBI. The individual SEE Enrollee has also signed a confidentiality agreement regarding treatment of CBI. Pursuant to Section 104(e)(7) of CERCLA, 42 U.S.C. § 9604(e)(7), and EPA's regulations at 40 C.F.R. § 2.310(h), EPA may share such CBI with EPA's authorized representatives which include contractors and cooperators under the Environmental Programs Assistance Act of 1984. (See 58 Fed.Reg. 7187 (1993)). If you have any objection to disclosure by EPA of documents which you claim are CBI to any or all of the entities listed in Enclosure B, you must notify EPA in writing at the time you submit such documents.



## Enclosure B

[rev. 10/2012]

### List of Contractors That May Review Your Response

**Emergint Technologies, Inc.**

Contract # EP-W-11-025

Subcontractor: Booz-Allen & Hamilton

**Booz-Allen & Hamilton**

Contract # GS-35F-0306J (GSA Schedule)

**CDM-Federal Programs Corporation**

Contract # EP-S3-07-06

Subcontractors: L. Robert Kimball & Associates Inc.  
Avatar Environmental LLC  
Terradon Corporation

**Chenega Global Services, LLC**

Contract #EP-S3-09-02

**EA Engineering, Science and Technology, Inc.**

Contract #EP-S3-07-07

Subcontractor: URS

**Eisenstein Malanchuck, LLP**

Contract #EP-W-07-079

Subcontractors: R. M. Fields International, LLC  
James C. Hermann & Associated

**Hydrogeologic (HGL)**

Contract #EP-S3-07-05

Subcontractor: CH2MHill  
Sullivan International

**Weston Solutions**

Contract #EP-S3-1005

**Tech Law, Inc.**

Contract #EP-S3-1004

**Tetra Tech NUS, Inc.**

Contract #EP-S3-07-04

**Kemron Environmental Services, Inc.**

Contract #EP-S3-12-01,

Subcontractor: AECOM Technical Services, Inc.

**Guardian Environmental Services Company, Inc.**

Contract #EP-S3-12-02,

Subcontractors: Aerotek, Inc.,  
Tetra Tech, Inc.

**Environmental Restoration, LLC**

Contract # EP-S3-12-03

Subcontractors: Aerotek, Inc  
Haas Environmental, Inc,  
Hertz

**WRS Infrastructure & Environment, Inc.**

Contract # EP-S3-12-05

**Industrial Economics, Inc.**

Contract # EP-W-06-092

Cooperative Agreements

**National Association of Hispanic Elderly**

CA# Q83424401

CA # ARRA 2Q8343730-01

**National Older Workers Career Center**

CA# Q-835030



## Enclosure C

### Definitions

1. The term "arrangement" shall mean every separate contract or other agreement or understanding between two or more persons, whether written or oral.
2. The term "documents" shall mean writings, photographs, sound or magnetic records, drawings, or other similar things by which information has been preserved and also includes information preserved in a form which must be translated or deciphered by machine in order to be intelligible to humans. Examples of documents include, but are not limited to, electronic mail and other forms of computer communication, drafts, correspondence, memoranda, notes, diaries, statistics, letters, telegrams, minutes, contracts, reports, studies, checks, statements, receipts, summaries, pamphlets, books, invoices, checks, bills of lading, weight receipts, toll receipts, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, inter-office and intra-office communications, notations of any conversations (including, without limitation, telephone calls, meetings, and other communications such as e-mail), bulletins, printed matter, computer printouts, invoices, worksheets, graphic or oral records or representations of any kind (including, without limitation, charts, graphs, microfiche, microfilm, videotapes, recordings and motion pictures), electronic, mechanical, magnetic or electric records or representations of any kind (including, without limitation, tapes, cassettes, discs, recordings and computer memories), minutes of meetings, memoranda, notes, calendar or daily entries, agendas, notices, announcements, maps, manuals, brochures, reports of scientific study or investigation, schedules, price lists, data, sample analyses, and laboratory reports.
3. The term "hazardous substance" means (a) any substance designated pursuant to section 1321(b)(2)(A) of Title 33 of the U.S. Code, (b) any element, compound, mixture, solution, or substance designated pursuant to Section 9602 of CERCLA, (c) any hazardous waste having the characteristics identified under or listed pursuant to Section 3001 of the Solid Waste Disposal Act (42 U.S.C. § 6921) (but not including any waste the regulation of which under the Solid Waste Disposal Act, 42 U.S.C. § 6901 et seq., has been suspended by Act of Congress), (d) any toxic pollutant listed under Section 1317(a) of Title 33, (e) any hazardous air pollutant listed under section 112 of the Clean Air Act, 42 U.S.C. § 7412, and (f) any imminently hazardous chemical substance or mixture with respect to which the Administrator has taken action pursuant to Section 2606 of Title 15 of the U.S. Code. The term does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under subparagraphs (a) through (f) of this paragraph, and the term does not include natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).



4. The term "pollutant or contaminant" shall include, but not be limited to, any element, substance, compound, or mixture, including disease-causing agents, which after release into the environment and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations in such organisms or their offspring, except that the term "pollutant or contaminant" shall not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under CERCLA, and shall not include natural gas, liquefied natural gas, or synthetic gas of pipeline quality (or mixtures of natural gas and such synthetic gas).
5. The term "release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant), but excludes (a) any release which results in exposure to persons solely within a workplace, with respect to a claim which such persons may assert against the employer of such persons, (b) emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel, or pipeline pumping station engine, (c) release of source, byproduct, or special nuclear material from a nuclear incident, as those terms are defined in the Atomic Energy Act of 1954, 42 U.S.C. § 2011 *et seq.*, if such release is subject to requirements with respect to financial protection established by the Nuclear Regulatory Commission under Section 170 of such Act, 42 U.S.C. § 2210, or, for the purposes of Section 9604 of CERCLA or any other response action, any release of source, byproduct, or special nuclear material from any processing site designated under 42 U.S.C. §§ 7912(a)(1) and 7942(a) and (d) the normal application of fertilizer.
6. The term "waste" or "wastes" shall mean and include any discarded materials including, but not limited to, trash, garbage, refuse, by-products, solid waste, hazardous waste, hazardous substances, pollutants or contaminants, and discarded or spilled chemicals, whether solid, liquid, or sludge.
7. The term "you" when referring to an incorporated entity shall mean and include the incorporated entity and its agents and representatives, including, but not limited to, persons directly authorized to transact business on the entity's behalf such as officers, directors, or partners with which the entity is affiliated, employees, accountants, engineers, or other persons who conduct business on the entity's behalf, as well as affiliated entities, including, but not limited to, partnerships, limited liability companies, divisions, subsidiaries, and holding companies.



## Enclosure D

### Instructions

1. You are entitled to assert a claim of business confidentiality covering any part or all of the information you submit. If you desire to assert a claim of business confidentiality, please see Enclosure A, *Business Confidentiality Claims/Disclosure of Your Response to EPA Contractors and Grantees*. You must clearly mark such information by either stamping or using any other form of notice that such information is a trade secret, proprietary, or company confidential. To ensure to the greatest extent that your intent is clear, we recommend that you mark as confidential each page containing such claimed information.
2. Please provide a separate, detailed narrative response to each question, and to each subpart of each question, set forth in this Information Request. If you fail to provide a detailed response, EPA may deem your response to be insufficient and thus a failure to comply with this Information Request, which may subject you to penalties.
3. Precede each response with the number of the question or subpart of the question to which it corresponds. For each document or group of documents produced in response to this Information Request, indicate the number of the specific question or subpart of the question to which the document(s) responds.
4. Should you find at any time after submission of your response that any portion of the submitted information is false, misrepresents the truth or is incomplete, you must notify EPA of this fact and provide EPA with a corrected written response.
5. Any terms that are used in this Information Request and/or its Enclosures that are defined in CERCLA shall have the meaning set forth in CERCLA. Definitions of several such terms are set forth in Enclosure C, *Definitions*, for your convenience. Also, several additional terms not defined in CERCLA are defined in Enclosure C. Those terms shall have the meaning set forth in Enclosure C any time such terms are used in this Information Request and/or its Enclosures.



## Enclosure E

### Information Required

In the following questions, the terms "BCS," "you" and "your" refer to Bill's Container Service. The term "Philadelphia area" refers to southeastern Pennsylvania and southern New Jersey.

1. Describe BCS's corporate history in detail. Your answer should include:
  - a. The date and state of BCS's incorporation, or if it is not incorporated, the date and state of BCS's formation;
  - d. A list of BCS's shareholders, directors, officers, or members;
  - c. Specific information on any mergers and acquisitions, name changes, asset purchases/sales etc. involving BCS, including complete copies of all relevant documents.
2. What is the current nature of the business or activity conducted by BCS in the Philadelphia area?
3. What was the nature of BCS's business or activity in the Philadelphia area between 1958 and 1976? Please describe in detail.
4. Identify all persons currently or formerly employed by BCS who have or may have personal knowledge of BCS's operations and waste disposal practices between 1958 and 1976. For each such person, state that person's job title, dates of employment, current address, and telephone number. If the current telephone number or address is not available, provide the last known telephone number or last known address of such person.
5. List and provide all records regarding the waste types and quantities transported by BCS to Clearview.
6. List and provide all records regarding the customers serviced by BCS that may have been transported to Clearview. For each of these customers, include the following information:
  - a. The names, addresses and business types of each customer;
  - b. The types and quantities of waste materials generated by each customer;
  - c. How and where the waste materials were collected from each customer; and
  - d. The services in addition to waste pickup and transportation, provided by you to each of these customers.
7. If you have any information about other parties who may have information which may assist the EPA in its investigation of Clearview, or who may be responsible for the generation of, transportation of, or release of contamination at Clearview, please provide such information. The information you provide in response to this request should include the party's name, address, telephone number, type of business, and the reasons why you



believe the party may have contributed to the contamination at the Site or may have information regarding the Site.

8. Identify the person(s) answering these questions on your behalf, including full name, mailing address, business telephone number, and relationship to the company.
9. Provide the name, title, current address, and telephone number of the individual representing BCS to whom future correspondence or telephone calls should be directed.
10. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:
  - a. Your document retention policy;
  - b. A description of how the records were/are destroyed (burned, archived, trashed, etc.) and the approximate date of destruction;
  - c. A description of the type of information that would have been contained in the documents; and
  - d. The name, job title, and most current address known to you of the person(s) who would have produced these documents; the person(s) who would have been responsible for the retention of these documents; and the person(s) who would have been responsible for the destruction of these documents.



**Enclosure F**  
**Interview Summary**





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

# **LOWER DARBY CREEK AREA SUPERFUND SITE**

## **CONFIDENTIAL SOURCE**

### **48**





**INTERVIEW SUMMARY**

**Task Order 0001 Site 2**

***Lower Darby Creek Area***

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Prepared for:

**U.S. Environmental Protection Agency**

**Region 3**

**Enforcement Support Services**

**Hazardous Site Cleanup Division**

**1650 Arch Street**

**Philadelphia, PA 19103**

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Prepared by:

**Chenega Integrated Systems, LLC**

**4651 Salisbury Road**

**Quadrant 1, Suite 251**

**Jacksonville, FL 32256**

**Work Assignment Number:**

**Date Submitted:**

**Contract Number:**

**EPA Work Assignment Manager:**

**Telephone Number:**

**Chenega Project Manager:**

**Telephone Number:**

**Interviewer:**

**Task Order 0001 Site 2**

**January 19, 2006**

**EP-S3-04-01**

**Carlyn Winter Prisk**

**(215) 814-2625**

**Ilona Poppke**

**(215) 491-7286**

**Michael McCloskey**

**Tri-State Enterprise**



Name:

[REDACTED] ("WITNESS")

[REDACTED] B-1B

Affiliation:

Former Trash Truck Driver for Patrick Bizzari Hauling

Telephone:

[REDACTED] (Cell Phone)

Type of Interview:

In-Person

Date of Interview:

January 17, 2006

On January 17, 2006, the WITNESS was interviewed at his residence by Michael McCloskey, Senior Investigator, of Tri-State Enterprise. The WITNESS was interviewed as part of the Potentially Responsible Party search currently being conducted under Task 0001 Site 2 the Lower Darby Creek Area Site in Delaware County, Pennsylvania (the "Site.") This interview focused on the Clearview Landfill. The WITNESS was provided with a copy of the letter of introduction, advised of the nature of the questions to be asked and that the interview was voluntary. The WITNESS stated that he is not represented by an attorney in this manner and did not want an attorney present. No other persons were present, and this interview was not tape-recorded.

During the course of this interview, the WITNESS responded to questions based on guidelines provided by the United States Environmental Protection Agency (EPA) for former employees.

The WITNESS was shown an aerial photograph of the Site. This aerial photograph was used as a reference throughout the interview. The aerial photograph used during this interview will be forwarded under separate cover.

The WITNESS was asked to explain his association with Patrick Bizzari Hauling and the Clearview Landfill.

The WITNESS stated that Patrick Bizzari Hauling was owned and operated by [REDACTED]. The WITNESS stated that he was employed by Patrick Bizzari Hauling from approximately [REDACTED] to [REDACTED] as a trash truck driver. The WITNESS stated that in approximately [REDACTED] he formed [REDACTED] Refuse Company. The WITNESS stated that he did not dispose of waste at the Clearview Landfill after 1975.

The WITNESS explained that [REDACTED] and the owner of the Clearview Landfill, Ed Heller, were good friends. The WITNESS stated that from 1965 to 1975, all waste picked up by Patrick Bizzari Hauling was disposed at the Clearview Landfill.

When asked to identify the locations from which Patrick Bizzari Hauling picked up waste that was disposed of at the Clearview Landfill, the WITNESS stated that Patrick Bizzari Hauling only picked up waste at residential locations and small "mom and pop" stores. The WITNESS stated that he would identify generators whom he observed dispose of waste at the

ENFORCEMENT CONFIDENTIAL



Clearview Landfill. He stated that he would not identify locations from which Patrick Bizzari Hauling picked up waste.

When asked to identify the names of companies whom he observed dispose of waste at the Clearview Landfill and to describe the waste from each generator, the WITNESS provided the following:

- Crown Cork and Seal: The WITNESS stated that he saw Crown Cork and Seal operate an open flat-bed truck, and he observed this company dispose of cork at the Site. The WITNESS was unable to recall the location of Crown Cork and Seal, but he believed they were located in Philadelphia.
- National Decal: The WITNESS stated that he observed National Decal dispose of plastic and paper at the Site. He indicated that National Decal operated a box truck. When asked if the waste contained glue or paint, the WITNESS stated that he does not know. The WITNESS stated that National Decal is located on Vine Street in Philadelphia.
- Coca Cola Company: The WITNESS stated that Coca Cola operated a tractor trailer and disposed of glass and a syrup type of liquid at the Site. The WITNESS could not recall the location of the Coca Cola Plant.
- City of Philadelphia: The WITNESS stated that the City of Philadelphia disposed of waste at the Site. The WITNESS stated that all municipal waste from the City of Philadelphia was disposed at the Site.
- Fels-Naptha: The WITNESS stated that this company was located on the banks of Darby Creek, just west of the Clearview Landfill. The WITNESS stated that the plant had numerous liquid spills into Darby Creek. The WITNESS stated that the Clearview Landfill dredged the Darby Creek and used the dredged dirt as a cover for the landfill.

The WITNESS stated that there were many more generators who disposed of waste at the Site, but he was unable to recall anything further at the present time.

When asked to identify the names of transporters that disposed of waste at the Clearview Landfill, the WITNESS provided the following:

- Kaut & Kaut: The WITNESS stated that this company operated numerous roll-off trucks and disposed of waste at the Clearview Landfill on a daily basis. He did not know the names of any of their customers.
- Charles Crumly (complete company name unknown): The WITNESS stated that Crumly also operated numerous roll-off trucks and disposed of waste at the Clearview Landfill on a daily basis. The WITNESS did not know the names of any of their customers.



- Vince Carrorell (complete company name unknown): The WITNESS stated that Carrorell operated front-end loaders and roll-off trucks. The WITNESS stated that he does not know the names of any of their customers.
- Bernie's Hauling: The WITNESS stated that Bernie's Hauling owned and operated numerous lugger trucks. The WITNESS stated that he does not know the names of any of their customers.
- Bill's Container Service: The WITNESS stated that Bill's Container Service operated numerous roll-off containers. He did not know the names of any of their customers.
- Gonnelli Brothers: The WITNESS stated that this company owned and operated numerous roll-off containers. The WITNESS stated that he does not know the names of their customers.
- Hart & Hart: The WITNESS stated that Hart & Hart owned and operated numerous compacter trucks. He does not know the names of any of their customers.

The WITNESS was asked if he had any knowledge of the following transporters disposing of waste at the Clearview Landfill:

- Schiavo Brothers: The WITNESS stated that he could not recall.
- Eastern Industrial: The WITNESS stated that he could not recall.
- Maritime Waste: The WITNESS stated that he could not recall.
- Cleveland Wrecking: The WITNESS stated that he could not recall.
- Hawthorn Demolition Company: The WITNESS stated that he could not recall.
- Lawrenson: The WITNESS stated that he could not recall.
- Dintz Hauling: The WITNESS stated that he could not recall.
- Ace Hauling: The WITNESS stated that he could not recall.

The WITNESS was asked if he had any knowledge of the following generators disposing of waste at the Site or having the waste transported to the Site by a transporter:

- Philadelphia Navy Yard: The WITNESS stated that in the late 1970s, Pat DeLorenzo operated a trash transfer station on the Site. The WITNESS explained that DeLorenzo received waste from the Philadelphia Navy Yard and compacted the waste for transport to another waste disposal site. The WITNESS stated that some of this compacted waste was disposed of on top of the closed Clearview Landfill. The WITNESS stated that he had observed this activity on numerous occasions. The WITNESS would not provide any further information.
- Boeing Company: The WITNESS stated that he could not recall.
- MAB Paints: The WITNESS stated that he could not recall.
- General Electric: The WITNESS stated that he could not recall.
- Westinghouse Corporation: The WITNESS stated that he could not recall.
- ITE Company: The WITNESS stated that he could not recall.



- Barrett Roofing: The WITNESS stated that he could not recall.
- General Chemical: The WITNESS stated that he could not recall.
- Rohm & Haas: The WITNESS stated that he could not recall.
- Allied Signal: The WITNESS stated that he could not recall.

When asked the names of any other individuals who may have relevant knowledge of waste disposal activities at the Clearview Landfill, the WITNESS stated that the owners of the above-named trash companies would be knowledgeable. The WITNESS was unwilling to provide specific names.

The WITNESS offered that when he first started disposing of waste at the Clearview Landfill, the fill area was located on a pig farm northeast of the current Site boundaries. The WITNESS stated that he has been to the Site since EPA has begun monitoring, and he indicated that the boundaries of the Site are much farther out than they used to be. The WITNESS was unwilling to elaborate.

"I declare under penalty of perjury that the foregoing is true and correct."

Executed on \_\_\_\_\_ Signed \_\_\_\_\_  
(Date) (Name)





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Bill's Container Service  
William Piccolo, owner  
1214 E. Sedgley Avenue  
Philadelphia, PA 19134

**Re: Overdue Response to Required Submission of Information  
Lower Darby Creek Area Superfund Site,  
Operable Unit 1 - Clearview Landfill  
Darby Township, Delaware County and Philadelphia, Pennsylvania**

Dear Mr. Piccolo:

On February 21, 2013, the U.S. Environmental Protection Agency ("EPA") issued a letter (copy of which is enclosed) to Bill's Container Service ("BCS" or "you") requiring the provision of information and/or documents relating to the above-referenced Site, pursuant to Section 104(e)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, ("CERCLA"), 42 U.S.C. § 9604(e)(2) ("Information Request"). BCS's response was due within thirty (30) calendar days of its receipt. The enclosed Certified Mail Receipt indicates that BCS received the Information Request on or before March 6, 2013. Accordingly, BCS's response was due by April 5, 2013.

BCS must provide all requested documents as well as a separate and complete narrative response to each and every question contained in EPA's February 21, 2013 Information Request no later than **August 1, 2013**. This extended response period is not to be construed as an extension of the original deadline and does not excuse any violation for failure to respond to the initial Information Request.

EPA has both administrative and judicial alternatives to compel BCS to answer its February 21, 2013 Information Request. Please provide the requested information no later than **August 1, 2013** to avoid such action.

All documents and information should be submitted to:

CONCURRENCES							
SYMBOL	3HS62	3RC43					
SURNAME	Prisk <i>CUP</i>	Pugh <i>[Signature]</i>					
DATE	7/9/13						

EPA Form 1320-1 (12-70) OFFICIAL FILE COPY



**104(e) TRACKING UPDATES**FILE USER PRISKEXT. 2625SITE NAME LOWER DARBY CREEK DATE 4/30/14PRP NAME BILL'S CONTAINER SERVICE DSN PA-3424

COMMENTS:

SDMS  
LIT HOLD

Please indicate "PFE" or "CBI" on appropriate documents.

**REMEDIAL ENFORCEMENT PLANNING****2c CORRESPONDENCE BY PRP**

- ☐ 104(e) Letters
- ☐ Follow-up 104(e) Letters
- ☐ 104(e) Responses

**REMEDIAL ENFORCEMENT IMPLEMENTATION****4a NEGOTIATIONS/SETTLEMENTS**

- ☐ 104(e) Letters re: *De Minimis* Settlement
- ☐ Follow-up 104(e) Letters
- ☐ 104(e) Responses re: *De Minimis* Settlement

**REMOVAL ENFORCEMENT PLANNING****7c CORRESPONDENCE BY PRP**

- ☐ 104(e) Letters
- ☐ Follow-up 104(e) Letters
- ☐ 104(e) Responses

☒ FILE☐ RETURN TO USER

DATE COMPLETED \_\_\_\_\_

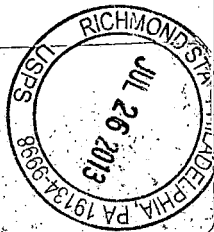


**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Bill's Container Service  
William Piccolo, Owner  
1214 E. Sedgley Avenue  
Philadelphia, PA 19134



2. Article Number

(Transfer from service label)

7003 1680 0005 4384 4164

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *William Piccolo*☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes



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ENVIRONMENTAL PROTECTION AGENCY**

**REGION III**

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**PHILADELPHIA, PA 19103-2029**

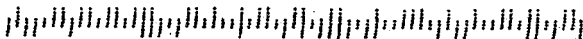
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  - If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.
- IMPORTANT: Save this receipt and present it when making an inquiry.**  
**Internet access to delivery information is not available on mail addressed to APOs and FPOs.**